

**UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
NEW BERN DIVISION**

IN RE:

**BRENT FRANKLIN GURLEY
TAMMY JACKSON GURLEY,**

DEBTORS

**CHAPTER 13
CASE NO.: 16-03444-5-DMW**

MOTION FOR MODIFICATION OF DEBTORS' CHAPTER 13 PLAN

NOW COME THE DEBTORS, to move the Court for a modification of their Chapter 13 Plan and in support of said Motion the Debtors respectfully show unto the Court the following:

1. That on the 1st day of July, 2016, the Debtors filed with this Court a petition pursuant to Title 11 U.S.C. Chapter 13 of the United States Bankruptcy. Joseph A. Bledsoe, III has been appointed and is serving as trustee in this matter.

2. That the Debtors' Chapter 13 Plan was confirmed on September 19, 2016.

3. That the Debtors' propose to modify their Chapter 13 Plan to lower the number of months from sixty (60) months to fifty-two (52) months, with the payments of \$1,312.00 for forty-six (46) months through May 2020 and \$1279.00 for six (6) months beginning June 2020.

4. That the unsecured creditors will be adversely affected by this modification and the payout to creditors be adjusted, if necessary, to accommodate this modification.

WHEREFORE, the Debtors pray the Court:

1. That the Debtors be allowed to modify their Chapter 13 Plan to lower the amount of months from sixty(60) months to fifty-two (52) months with the payments to be \$1312.00 for forty-six (46) months through May 2020 and \$1279.00 for six (6) months beginning June 2020.

2. That the unsecured creditors will be adversely affected by this modification and the payout to creditors be adjusted, if necessary, to accommodate this modification.

3. For such other and further relief as to the Court may seem just and proper.

This the 17th day of June, 2020.

s/Robert E. Fuller, Jr.
Attorney at Law
NC State Bar # 6158
P.O. Box 1121
Goldsboro, NC 27533-1121
Telephone No.: (919) 735-7496
Fax No.: (919) 735-5077

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NOTICE OF MOTION

TO: STANDING TRUSTEE, CREDITORS AND ALL OTHER PARTIES IN INTEREST

NOTICE IS HEREBY GIVEN of the Motion simultaneously herewith by the attorney for the debtor(s) in the above captioned case; and

FURTHER NOTICE IS HEREBY GIVEN that this Motion may be allowed provided no response and request for a hearing is made by the debtor(s), creditor(s), trustee, or other parties in interest, in writing to the Clerk of this Court within twenty-one (21) days from the date of this Notice; and,

FURTHER NOTICE IS HEREBY GIVEN that if a response and a request for a hearing is filed by the debtors, creditor(s), trustee, or other parties in interest named herein in writing within the time indicated, a hearing will be conducted on the motion and response thereto at a date, time and place to be later set by this Court and all interested parties will be notified accordingly. If no request for a hearing is timely filed, the Court may rule on the amended motion and response thereto ex parte without further notice.

Dated: June 17, 2020

s/Robert E. Fuller, Jr.
Attorney at Law
NC State Bar # 6158
P.O. Box 1121
Goldsboro, NC 27533-1121
Telephone No.: (919) 735-7496
Fax No.: (919) 735-5077

CERTIFICATE OF SERVICE

I, Robert E. Fuller, Jr., certify that on June 17, 2020, a copy of the foregoing Motion was served electronically upon the following:

Joseph A. Bledsoe, III
Chapter 13 Trustee

by mailing them at their address, and by serving a copy of the forgoing Motion on the following party in interest by depositing copy hereof in a depository under the exclusive care and custody of the United States Postal Service, postage prepaid, in an envelope addressed as follows:

Brent Franklin Gurley
Tammy Jackson Gurley
Debtors
730 Rodell Barrow Road
La Grange, NC 28551

AND LIST OF CREDITORS ATTACHED TO ORIGINAL NOTICE OF MOTION AND
CERTIFICATE OF SERVICE

I certify under penalty of perjury that the foregoing is true and correct.

Dated: June 17, 2020

s/Robert E. Fuller, Jr.
Attorney at Law
NC State Bar # 6158
P.O. Box 1121
Goldsboro, NC 27533-1121
Telephone No.: (919) 735-7496
Fax No.: (919) 735-5077

Absolute Collection Service 333 Fayetteville St. Mall Suite 1100 Raleigh, NC 27601	Credit Collection Services Two Wells Avenue Newton Center, MA 02459	Goldsboro Orthopaedic Asso. P.O. Box 1717 Goldsboro, NC 27533-1717
Absolute Collection Service 421 Fayetteville St. Mall Suite 600 Raleigh, NC 27601-1792	Digestive Disease Center, PA 2705 Medical Office Place Goldsboro, NC 27534	Goshen Medical Center, Inc. P.O. Box 187 Faison, NC 28341-0187
Ally Financial PO Box 130424 Roseville, MN 55113-0004	Direct TV Customer Service C/O Banruptcy Dept. P.O. Box 6550 Greenwood Village, CO 80155-6550	Internal Revenue Service Alamance Building, MS 24 4905 Koger Blvd. Greensboro, NC 27407-2734
American Management Assoc., LLC P.O. Box 2083 Goldsboro, NC 27533-2083	Eastern Carolina Surgical Assoc. 2811 McLamb Place Goldsboro, NC 27534	James Lambert, M.D. 130 N. Center Street Mount Olive, NC 28365
American Management Associates, LLC 2719 Graves Drive, Unit 11 Post Office Box 2083 Goldsboro, NC 27533	Eastern Medical Associates, PA 2609 Medical Office Place Goldsboro, NC 27534-9428	Laboratory Corporation of America P.O. Box 2240 Burlington, NC 27216-2240
AT&T Bankruptcy Department P. O. Box 769 Arlington, TX 76004-0769	ECU Physicians Brody School of Medicine Post Office Box 8168 Greenville, NC 27834-8168	Lendmark Financial Services, LLC 2118 Usher Street Covington, GA 30014
Atlantic Gastroenterology 2465 Emerald Place Greenville, NC 27834	Franklin Collection Service, Inc. PO Box 3910 Tupelo, MS 38803-3910	New Hope Gas 1798 N. Beston Road La Grange, NC 28551
Carolina Kidney and Vascular 2809 McLamb Place Goldsboro, NC 27534	GC Services 6330 Gulfton Street Houston, TX 77081-1108	North Carolina Dept of Revenue P.O. Box 25000 Raleigh, NC 27640-0001
Carrington Mortgage Services, LLC 1600 S. Douglass Road Anaheim, CA 92806	Goldsboro Emergency Medical Special P.O. Drawer K Goldsboro, NC 27533	OneMain Financial Group LLC asf Wells Fargo Bank, NA 605 Munn Road Fort Mill, SC 29715
Chase Receivables 1247 Broadway Sonoma, CA 95476	Goldsboro OB-GYN Associates, PLLC 2608 Hopsital Road Goldsboro, NC 27534	Online Collections 685 W. Fire Tower Road Winterville, NC 28590

Optimum Outcomes, Inc.
421 Fayetteville St., Ste 600
Raleigh, NC 27601

Wayne County Anesthesia Associates
Attn: Legal Dept.
804 Scott Nixon Memorial Dr.
Augusta, GA 30907

Portfolio Recovery Associates, LLC
PO Box 41067
Norfolk, VA 23541

Wayne Health Medical
PO Box 250
Beaver, PA 15009

Resurgent Capital Services
P.O. Box 10587
Greenville, SC 29603-0587

Wayne Health Surgical Asso., LLC
2811 McLamb Place
Goldsboro, NC 27534-1647

Revenue Cycle Solutions
421 Fayetteville, Street
Raleigh, NC 27601-1792

Wayne Memorial Hospital
Attn: Dean Tino
P.O. Box 8001
Goldsboro, NC 27533-8001

SCA Collections
300 E. Arlington Blvd.
Greenville, NC 27858-5016

Wayne Memorial Hospital
Attn: Dean Tino
P.O. Box 8001
Goldsboro, NC 27533-8001

Shapiro & Ingle, LLP
Attn: William P. Harris
10130 Perimeter Parkway, Suite 400
Charlotte, NC 28216

Wayne Pharmacy
2302 Wayne Memorial Drive
Goldsboro, NC 27534

Southeastern Medical Oncology
203 Cox Blvd
Goldsboro, NC 27534

Wayne Radiologists, PA
P.O. Box 1757
Goldsboro, NC 27533-1757

Spectrum Lab Network
Post Office Box 35907
Greensboro, NC 27425-5907

Wells Fargo Dealer Services
PO Box 19657
Irvine, CA 92623-9657

Transworld Systems
507 Prudential Road
Horsham, PA 19044

Wayne County Tax Department
P.O. Box 1495
Goldsboro, NC 27533-1495